



March 22, 2024

Hon. Peggy Kuo
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

VIA ECF ONLY

Re: *Shkolir, et. al v. RX2GO, Inc., et. al.*; 1:23-cv-7256-OEM-PK (EDNY)
3/21/2024 Order

Dear Judge Kuo:

The parties write jointly pursuant to the Hon. Orelia E. Merchant, U.S.D.J.'s ("Judge Merchant") Order dated March 21, 2024. Judge Merchant just ordered that "by 3/22/2024 parties shall jointly contact Magistrate Judge Kuo's chambers to schedule an initial conference and/or settlement conference. At the conclusion of either, any party may renew a PMC request on a dispositive motion pursuant to the undersigned's individual practices and rules"

The parties already conducted an initial conference in this case on 1/31/2024. Pursuant to Dkt. 16, we are on a track toward mediation to occur by 5/17/24, through the court's ADR office, rather than a settlement conference. A status report is due to this Court by 5/21.

Further, the parties met-and-conferred telephonically today pursuant to this Court's Order dated February 27, 2024 and have agreed as follows: (i) Plaintiffs to provide a settlement demand on or before Friday, March 29, 2024; and (ii) Defendants to make a settlement offer on or before Friday, April 5, 2024.

We are therefore seeking this Court's input as to what needs to be done to comply with Judge Merchant's order. Defendants are amenable to waiting until after the mediation to renew their request for a pre-motion conference in anticipation of their motion for judgment on the pleadings. If that is acceptable, we ask that this suffice for these purposes, and that no additional conference is necessary unless this Court deems otherwise.

Sincerely,

Penn Dodson, Esq.

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